

(Fu

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Customer Number: 20277

Yasuhiko OKITA, et al.

Docket No.: 070456-0120

Confirmation Number: 2795

Application No.: 10/586,342

Group Art Unit: 3724

Filed: July 14, 2006

Examiner: Sara Addisu

For:

INDEXABLE INSERT

<u>INFORMATION DISCLOSURE STATEMENT</u>

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee.

REQUEST TO CONSIDER REFERENCES AFTER CLOSE OF PROSECUTION AND BEFORE PAYMENT OF ISSUE FEE

In accordance with the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached form PTO-1449. It is respectfully requested that the references be expressly considered during the prosecution of this application, and that the references be made of record therein and appear

10/08/2008 AUONDAF1 08080034 500417 10586342

01 FC:1828

180.00 DA

10/586,342

among the "References Cited" on any patent to issue therefrom. Please charge the processing fee

under 1.17(p) of \$180.00 to Deposit Account 500417.

CERTIFICATION PARAGRAPH

The undersigned certifies that each item of information contained in this Information

Disclosure Statement was first cited in a communication from a foreign patent office in a

counterpart foreign application not more than three months prior to the filing of this Information

Disclosure Statement as described in 37 CFR 1.97(e)(1).

Each reference was cited in a corresponding European application search report and its

relevance discussed therein. A copy of the European search report is attached for the Examiner's

information.

Please charge any shortage in fees due in connection with the filing of this paper,

including extension of time fees, to Deposit Account 500417 and please credit any excess fees to

such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Brian K. Seidleck

Registration No. 51,321

600 13th Street, N.W.

Washington, DC 20005-3096 Phone: 202.756.8000 SAB:mjb

Facsimile: 202.756.8087

Date: October 7, 2008

Please recognize our Customer No. 20277

as our correspondence address.